

Attorney for Plaintiff
STATE OF NORTH CAROLINA

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THE STATE OF CALIFORNIA, et al., Case No.: C 06-4333 PJH

Plaintiffs,

JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO
EXTEND TIME TO ANSWER
INTERROGATORIES

v.

INFINEON TECHNOLOGIES AG, ET AL.,

Defendants.

Now comes the State of North Carolina, by and through the Attorney General, and Defendants Hynix Semiconductor, Inc. and Hynix Semiconductor America, Inc. by and through its attorneys, and hereby agree to stipulate to an extension of time in which the State of North Carolina shall provide answers to Defendant Hynix's interrogatories. Pursuant to a previous order of this Court, North Carolina's answers, as well as other states' answers, were due on October 7, 2008. After timely discussions with Kenneth O'Rourke and Katherine Robison, Hynix's counsel, Hynix has no objection to this Court granting North Carolina an extension of

1 time to November 7, 2008, in which to answer Hynix's interrogatories. As a basis for said
2 Stipulation, North Carolina states the following:

- 3 1. Beginning on September 11, 2008, when Hurricane Ike shut down oil production
4 and refining in the Gulf of Mexico, and continuing through this date, counsel for
5 the State of North Carolina has been completely occupied with initiating,
6 supervising and pursuing approximately 40 (and growing) simultaneous
7 investigations of price gouging on motor fuel in North Carolina. Many of these
8 investigations are detailed and time-consuming. These investigations have
9 resulted thus far in two settlements and the filing of one enforcement action in
10 court, with many more settlements and/or enforcement actions in process.
- 11 2. That work, done at the direction of counsel's management, has not allowed
12 counsel to devote attention to other important matters, including working with the
13 appropriate state agencies, that are not under the direction or control of counsel or
14 the North Carolina Department of Justice, to obtain their responses to defendant
15 Hynix's interrogatories.

16 WHEREFORE, the State of North Carolina and Defendants Hynix Semiconductor, Inc.
17 and Hynix Semiconductor America, Inc. agree and stipulate that the State of North Carolina shall
18 have an Extension of Time until November 7, 2008, to Answer Defendant Hynix's
19 Interrogatories.

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21 DATED: October 27, 2008
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Respectfully submitted,

STATE OF NORTH CAROLINA

O'MELVENY & MYERS LLP

By Its Attorney General,
ROY COOPER
ATTORNEY GENERAL

KENNETH R. O'ROURKE
MICHAEL F. TUBACH
STEVEN H. BERGMAN
KATHERINE ROBISON

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By: /Katherine Robison/
Katherine Robison
Counsel

Attorneys for Defendants
HYNIX SEMICONDUCTOR, INC.
and HYNIX SEMICONDUCTOR
AMERICA, INC., *and with respect
to this Stipulation only.*

ORDER

THE FOREGOING STIPULATION IS APPROVED AND IS SO ORDERED.

DATED: October 28, 2008

